Case 1:08-cv-00271-DAE-KSC Document 13 Filed 10/20/08 Page 1 of 2 PageID.23

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FILED IN THE UNITED STATES DISTRICT COURT DISTRICT OF HAWAII

GOODSILL ANDERSON QUINN & STIFEL A LIMITED LIABILITY LAW PARTNERSHIP LLP

OCT 20 2008 at <u>Lo'clock and 4 Omin. P. M</u>

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OCT 1 4 2008

CLERK, U.S. DISTRICT COURT

DISTRICT OF HAWAII

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF HAWAII

DALE MARCZAK

Plaintiff

VS.

CLUB FNU, INC. doing business as CLUB FEMME NU,

Defendant

CIVIL NO. CV 08-00271 DAE-KSC

STIPULATION FOR DISMISSAL WITH PREJUDICE OF ALL CLAIMS AND ALL PARTIES; ORDER

Trial Date: None

STIPULATION FOR DISMISSAL WITH PREJUDICE OF ALL CLAIMS AND ALL PARTIES

IT IS HEREBY STIPULATED by and between parties, through their respective counsel, that the above-entitled action, including all claims filed therein, be dismissed with prejudice, each party to bear their own costs and attorneys' fees.

There are no remaining parties and/or issues.

This Stipulation is submitted pursuant to Rule (41)(a)(1)(ii) of the Federal Rules of Civil Procedure and has been signed by counsel for all parties hereto.

DATED: Honolulu, Hawaii, October 2008.

LUNSFORD DOLE PHILLIPS

Attorney for Plaintiff DALE MARCZAK

DATED: Honolulu, Hawaii, October _______, 2008.

BRUCE L. LAMON

Attorneys for Defendant

CLUB FNU, INC.

APPROVED AND SO ORDERED:

UNITED STATES DISTRICT JUDGE